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Attorney for Defendants  
ANDREW B. STROUD, an individual  
and STROUD PRODUCTIONS AND  
ENTERPRISES, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

STEVEN AMES BROWN,  
Plaintiff,  
vs.  
ANDREW B. STROUD, an individual  
and STROUD PRODUCTIONS AND  
ENTERPRISES, INC.,  
Defendants.

) Case No.: 08-CV-02348-VRW  
)  
) **AMENDED NOTICE OF MOTION AND  
MOTION TO DISMISS PLAINTIFF'S  
COMPLAINT PURSUANT TO RULE 12(b)**  
)  
) Date: July 17, 2008  
) Time: 2:30 p.m.  
) Courtroom: 6  
)  
) Honorable Vaughn R. Walker  
)

**TO PLAINTIFF:**

PLEASE TAKE NOTICE that on July 17, 2008, at 2:30 p.m. in Courtroom 6, or as soon thereafter as this matter may be heard, Defendants Andrew B. Stroud and Stroud Productions and Enterprises, Inc. will move this Court to Dismiss Plaintiff's Complaint herein pursuant to FRCP 12(b) because this Court lacks personal jurisdiction over the Defendants.

This Amended Notice replaces the Notice of Motion filed and served yesterday which erroneously set the hearing date for June 10, 2008 (the intended date was July 10, 2008). It is being re-noticed for July 17, 2008 per request by plaintiff's counsel to provide adequate notice as

required by the Local Rules.

In the hope of not unnecessarily burdening the Court's file with duplicate copies of the same motion papers, we will not be re-filing the Memorandum of Points and Authorities, Declaration of Andrew Stroud, and the Proposed Order which are already on file (filed yesterday). If the Court wishes us to re-file those papers, we will obviously do so. We apologize to the Court and counsel for any confusion caused by this error.

The motion will be based on this Amended Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities and Declaration of the Defendant Andrew B. Stroud, and the pleadings and papers already on file herein.

Dated: June 6, 2008

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: \_\_\_\_\_ /S/  
Francis Torrence  
Attorney for Defendants  
ANDREW B. STROUD and  
STROUD PRODUCTIONS AND  
ENTERPRISES, INC.